

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Cecil Eric Fox, #172955,)	Civil Action No. 3:08-cv-2945-TLW-JRM
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Jon Ozmint and Robert Ward,)	
)	
)	
Defendants.)	
)	

The *pro se* Plaintiff, Cecil Eric Fox, (“Plaintiff”), an inmate with the South Carolina Department of Corrections, filed the above-captioned lawsuit seeking relief under Title 42, United States Code, Section 1983. (Doc. # 1.) On February 10, 2009, Defendants Jon Ozmint and Robert Ward (“Defendants”) filed a Motion for Summary Judgment. (Doc. # 32.) Pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), the Plaintiff was advised by Order filed February 11, 2009 that he had thirty-four (34) days to file any material in opposition to the Defendants’ motion. (Doc. # 20.) The Plaintiff requested, and was granted, an extension of time to answer the Defendants’ motion. (Docs. # 39 & 41.) The Plaintiff filed responses to the Defendants’ motion on April 10th and 20th, 2009. (Docs. # 43 & 44.)

On April 27, 2009, United States Magistrate Judge Joseph R. McCrorey filed a Report and Recommendation (the “Report”) pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B). (Doc. # 46.) In the Report, Magistrate Judge McCrorey recommended that the Plaintiff’s claims be dismissed. Id.

On April 27, 2009, the Report was sent to the Plaintiff via U.S. Mail with notice to file any objections to the Report within 10 days. As of the date of this Order, the Plaintiff has not filed any objections to the Report.

This matter is now before the Court upon the Magistrate Judge's recommendation that the Plaintiff's claims be dismissed. This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 26), the Defendants' Motion for Summary Judgment is **GRANTED** (Doc. # 32), and the Plaintiff's Complaint is **DISMISSED** with prejudice.

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

June 2, 2009
Florence, South Carolina